

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Trustees of the LOCAL 7 TILE INDUSTRY WELFARE FUND,
Trustees of the LOCAL 7 TILE INDUSTRY ANNUITY FUND,
Trustees of the TILE LAYERS LOCAL UNION 52 PENSION
FUND, Trustees of the BRICKLAYERS & TROWEL TRADES
INTERNATIONAL PENSION FUND, and Trustees of the
INTERNATIONAL MASONRY INSTITUTE,

10 Civ. 281 (NGG)

CONSENT JUDGMENT
AND STIPULATION OF
DISMISSAL

Plaintiffs,

-against-

ARTHUR LORENZO & SONS, INC.,

Defendant.

In accordance with the parties' agreement, the Court hereby enters Judgment as follows:

1. Judgment is entered in favor of plaintiffs the Trustees of the Local 7 Tile Industry Welfare Fund, Local 7 Tile Industry Annuity Fund, Tile Layers Local Union No. 52 Pension Fund, Bricklayers & Trowel Trades International Pension Fund, and International Masonry Institute (the "Plaintiffs") and against defendant Arthur Lorenzo & Sons, Inc. (the "Defendant") in the amount of \$111,347.96, consisting of (1) delinquent contributions owed to the Local 7 Funds in the amount of \$15,790.09 based on an audit covering the period January 2004 through June 2006, plus interest in the amount of \$2,552.75, and liquidated damages in the amount of \$3,158.02, (2) delinquent contributions owed to the International Fund in the amount of \$2,075.34 based on an audit covering the period January 2004 through June 2006, plus interest in the amount of \$334.56, and liquidated damages in the amount of \$415.07, (3) delinquent contributions

owed to the Local 7 Funds in the amount of \$32,139.58 based on an audit covering the period July 2006 through June 2008, plus interest in the amount of \$368.21, liquidated damages in the amount of \$6,003.89, and audit costs in the amount of \$1,275.13, (4) delinquent contributions owed to the International Fund in the amount of \$34,905.63 based on an audit covering the period July 2006 through June 2008; plus interest in the amount of \$2,188.19, liquidated damages in the amount of \$4,402.63, and audit costs in the amount of \$1,384.87, and (5) attorneys' fees and costs in the amount of \$4,354.00.

2. Defendant shall pay Plaintiffs this Judgment of \$111,347.96. So long as Defendant makes payment, Plaintiffs shall take no action to enforce this Judgment by any other means.

3. In the event Defendant fails to make payment when due, Plaintiffs may file an affidavit with this Court with regard to such failure.

4. Upon filing of such an affidavit, Plaintiffs will be entitled to enforce this Judgment by all means permitted by law.

5. Jurisdiction is retained solely to assure compliance with the terms of the Consent Judgment. In all other respects, this action shall be deemed dismissed, with prejudice and without costs.

Dated: _____

We stipulate to and request entry
of this Consent Judgment

ARTHUR LORENZO & SONS, INC.

By: *Sylvio Lorenzo*
Name: Sylvio Lorenzo
Title: President

TRUSTEES OF THE LOCAL 7 TILE
INDUSTRY WELFARE FUND, LOCAL
7 TILE INDUSTRY ANNUITY FUND

By: _____
Name:
Title: Trustee

TRUSTEES OF THE TILE LAYERS
LOCAL UNION NO. 52 PENSION FUND

By: _____
Name:
Title: Trustee

TRUSTEES OF THE BRICKLAYERS &
TROWEL TRADES INTERNATIONAL
PENSION FUND

By: _____
Name: David F. Stupar
Title: Executive Director

TRUSTEES OF THE INTERNATIONAL
MASONRY INSTITUTE

By: _____
Name: David F. Stupar
Title: Executive Director

We stipulate to and request entry
of this Consent Judgment

ARTHUR LORENZO & SONS, INC.

By: Sylvio Lorenzo
Name: Sylvio Lorenzo
Title: President

TRUSTERS OF THE LOCAL 7 TILE
INDUSTRY WELFARE FUND, LOCAL
7 TILE INDUSTRY ANNUITY FUND

By: James J. Jr.
Name:
Title: Trustee

TRUSTEES OF THE TILE LAYERS
LOCAL UNION NO. 52 PENSION FUND

By: James J. Jr.
Name:
Title: Trustee

TRUSTEES OF THE BRICKLAYERS &
TROWEL TRADES INTERNATIONAL
PENSION FUND

By: _____
Name: David F. Stupar
Title: Executive Director

TRUSTEES OF THE INTERNATIONAL
MASONRY INSTITUTE

By: _____
Name: David F. Stupar
Title: Executive Director

of this Consent Judgment

ARTHUR LORENZO & SONS, INC.

By: Sylvio Lorenzo
Name: Sylvio Lorenzo
Title: President

TRUSTEES OF THE LOCAL 7 TILE
INDUSTRY WELFARE FUND, LOCAL
7 TILE INDUSTRY ANNUITY FUND

By: _____
Name:
Title: Trustee

TRUSTEES OF THE TILE LAYERS
LOCAL UNION NO. 52 PENSION FUND

By: _____
Name:
Title: Trustee

TRUSTEES OF THE BRICKLAYERS &
TROWEL TRADES INTERNATIONAL
PENSION FUND

By: David F. Stuper
Name: David F. Stuper
Title: Executive Director

TRUSTEES OF THE INTERNATIONAL
MASONRY INSTITUTE

By: David F. Stuper
Name: David F. Stuper
Title: Executive Director

Nicholas G. Garaufis
s/Nicholas G. Garaufis, USDJ

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9/7/10